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Attorneys for Defendant
CITY OF SANTA CLARA

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEAL G. BENSON,

Plaintiffs,

VS.

SANTA CLARA MASONIC LODGE
#299, SANTA CLARA POLICE
DEPARTMENT AND CITY OF
SANTA CLARA, CA. MASONIC
GRAND LODGE SAN FRANCISCO,
CA. SCOTTISH RITE BODIES OF
SAN JOSE, CA,

Defendants.

Case No. C07 03476 HRL

**DEFENDANT CITY OF SANTA CLARA'S
REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION TO DISMISS**

Date: September 4, 2007
Time: 10:00 a.m.
Dept.: 2, 5th Floor
Judge: Hon. Howard R. Lloyd

Defendant, CITY OF SANTA CLARA, hereby requests this Court take judicial notice of the case of Neal G. Benson v. Santa Clara Masonic Lodge #299, et al., Case No. C03-00119 RMW pursuant to Federal Rule of Evidence 201 and specifically the following documents in that case:

1. Original complaint filed January 9, 2003;
2. Order Granting Motions to Dismiss filed February 25, 2003;
3. Plaintiff's Amended Complaint dated March 3, 2003;
4. Order Dismissing Complaint filed March 26, 2003;
5. Notice for Reconsideration dated on or near April 20, 2007;
6. Order Denying Motion for Reconsideration dated June 22, 2007.

Dated: July 24, 2007

RANKIN, LANDSNESS, LAHDE,
SERVERIAN & STOCK

By: /s/ Michael C. Serverian
MICHAEL C. SERVERIAN
Attorneys for Defendant
CITY OF SANTA CLARA